

### **Remarks**

Upon entry of the foregoing amendment, claims 2-4, 8-14 and 16-20 will be pending in the application. Claims 1, 5-7 and 15 have been canceled. Claims 12-14 have been withdrawn from consideration.

The various parts of the Office Action are discussed below under appropriate headings.

#### ***Claim Rejections - 35 U.S.C. § 112***

Claims 1-4, 8-11 and 16-18 have been rejected under 35 U.S.C. §112, second paragraph, as being indefinite. The Examiner contends that the phrase "by applying to the particles a liquid composed substantially of the adhesion promoter" in claim 1, lines 5-6 is vague and indefinite, and that the phrase "then the adhesion promoter has been dried" in claim 1, line 6 is also vague and indefinite. In view of the cancellation of claim 1, the rejection under 35 U.S.C. §112 is moot.

#### ***Claim Rejections – 35 U.S.C. §102***

Claims 1-4, 10-11 and 17-18 have been rejected under 35 U.S.C. §102(b) as anticipated by or, in the alternative, under 35 U.S.C. §103(a) as obvious over Dohring (WO 00/44984) published August 3, 2000, with evidence by Dohring (US 6,835,421), which is interpreted as being the English language equivalent of '984.

Applicant respectfully traverses the rejection for at least the following reasons. Claim 1 has been canceled and new independent claim 19 has been added. The remaining claims have been amended to depend from new claim 19. As recited in claim 19, Applicant claims a paper for a laminate panel comprising: a first layer comprising a resin impregnated decorative paper or a resin impregnated overlay; and a second layer of abrasion resistant particles uniformly distributed on and adhered to the first layer, wherein the abrasion resistant particles have an outer coating of an adhesion promoter, the outer coating being free of amino resin. Support for new claim 19 can be found at page 2, lines 14-16 and lines 33-34; page 3, lines 21-22; page 5, lines 4-7; and page 5, line 23 to page 6, line 8.

Dohring ('984) fails to disclose the claimed paper. Instead, Dohring discloses a paper that includes decorative paper that has been impregnated with an amino resin, and an additional layer of amino resin in a dispersion that contains abrasive particles, a flow-promoting agent, a hardener and an adhesion promoter applied to the impregnated decorative paper. Thus the abrasive particles applied to the impregnated paper are coated with the amino resin and other constituents of the dispersion. It is disclosed that one of the important differences of the invention of Dohring lies in the fact that the dispersion used for impregnating the decorative paper and for applying the wear-resistant bodies is applied by the nozzle principle. The nozzle principle permits the dispersion of the wear-resistant bodies to be continuously stirred around before application, which in turn, enables less wear-resistant material to be used and faster impregnation velocities to be achieved. The downside to the use by Dohring of a dispersion to apply the wear-resistant material is the equipment expenditure necessary to apply the dispersion in a uniform manner.

With the paper of the present invention, it is possible to obtain a paper having high abrasion resistance, a more uniform dispersion of abrasion resistant particles, and a brilliant surface while using dark decorative papers. The adhesion promoter coating on the abrasive particles permits superior adhesion to and integration of the abrasive particles with the resin impregnated first layer so that there is no optically visible boundary surface between the abrasion-resistant particles and the resin matrix which leads to graying. Furthermore, because the paper of the present invention contains less resin, a high quality, highly abrasion resistant paper can be produced without the expense associated with the amino resin/abrasive particle dispersion of Dohring.

The claimed paper is not anticipated by Dohring (WO 00/44984), nor would it have been obvious to one skilled in the art to have modified the paper of Dohring to have eliminated the amino resin dispersion, as Dohring explicitly teaches the importance of the amino resin dispersion to achieve high quality paper. Accordingly, Applicant respectfully requests withdrawal of the rejection under 35 U.S.C. §102(b) as anticipated by or, in the alternative, under 35 U.S.C. §103(a) based on Dohring (WO 00/44984).

Claims 1-4, 8-11 and 17-18 have been rejected under 35 U.S.C. §102(a) as anticipated by Dohring (US 2003/0138600). Applicant respectfully traverses the rejection for at least the following reasons. As discussed above, new claim 19 recites a laminate panel comprising: a first layer comprising a resin impregnated decorative paper or a resin impregnated overlay; and a second layer of abrasion resistant particles uniformly distributed on and adhered to the first layer, wherein the abrasion resistant particles have an outer coating of an adhesion promoter, the outer coating being free of amino resin.

The claimed paper is not disclosed by or suggested by Dohring ('600). Instead, Dohring discloses a paper impregnated with an acrylate-containing dispersion that is coated with a dispersion of amino resin and abrasion resistant material. Thus the abrasive particles applied to the impregnated paper of Dohring ('600) are coated with the amino resin and other constituents of the dispersion. Because Dohring does not anticipate the paper of claims 2-4, 8-11 and 17-20, Applicant respectfully requests withdrawal of the rejection under 35 U.S.C. §102(a).

#### ***Claim Rejections – 35 U.S.C. §103***

Claims 8 and 9 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Dohring (WO 00/44984) published August 3, 2000, with evidence by Dohring (US 6,835,421), which is interpreted as being the English language equivalent of '984, in view of Jaisle et al. (US 4,473,613).

Applicant respectfully traverses the rejection for at least the following reasons. As discussed above, Dohring '984 fails to disclose or suggest a paper for a laminate panel comprising: a first layer comprising a resin impregnated decorative paper or a resin impregnated overlay; and a second layer of abrasion resistant particles uniformly distributed on and adhered to the first layer, wherein the abrasion resistant particles have an outer coating of an adhesion promoter, the outer coating being free of amino resin. The decorative laminate of Jaisle et al. includes a décor sheet impregnated with a first blend of a melamine/formaldehyde resin and an acrylic resin and a second blend of a melamine/formaldehyde resin and abrasive particles. Jaisle et al. also fails to disclose or suggest a paper that includes a layer of abrasive particles having an outer coating of an adhesion promoter that is free of amino resin. Therefore, even if the

teachings of Dohring '984 were to be combined with the teachings of Jaisle et al., the result would not be the paper of claims 8 and 9. Accordingly, Applicant respectfully requests withdrawal of the rejections of claims 8 and 9 under 35 U.S.C. §103(a).

Claim 17 has been rejected under 35 U.S.C. §103(a) as being unpatentable over Dohring (WO 00/44984) published August 3, 2000, with evidence by Dohring (US 6,835,421), which is interpreted as being the English language equivalent of '984, in view of Shirono et al. (WO 01/21529) with Shirono et al. (US 6,994,834) interpreted as being the English language equivalent of '529. Claim 17 has been further rejected under 35 U.S.C. §103(a) as being unpatentable over Dohring (US 2003/0138600) in view of Shirono et al. (WO 01/21529) with Shirono et al. (US 6,994,834) interpreted as being the English language equivalent of '529.

Applicant believes that the rejections of claim 17 were intended to be rejections of claim 16, as it is claim 16 rather than claim 17 that recites an amino silane adhesion promoter. Accordingly, Applicant's remarks herein are directed to claim 16.

Shirono et al. discloses a surface treatment for fine silica powder that is used as an ink acceptor layer for ink-jet printing. It is disclosed that the surface modified silica powder has an excellent printing effect, being free from blotting ink. As discussed above, neither Dohring '984 nor Dohring '600 disclose or suggest a paper for a laminate panel comprising: a first layer comprising a resin impregnated decorative paper or a resin impregnated overlay; and a second layer of abrasion resistant particles uniformly distributed on and adhered to the first layer, wherein the abrasion resistant particles have an outer coating of an adhesion promoter, the outer coating being free of amino resin. Therefore, even if the teachings of the Dohring references were to be combined with the teachings of Shirono et al., the result would not be the paper of claim 16. Accordingly, Applicant respectfully requests withdrawal of the rejections of claim 16 under 35 U.S.C. §103(a).

***Conclusion***

In view of the foregoing amendment and remarks, request is made for timely issuance of a notice of allowance.

Respectfully submitted,

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